

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: ) Examiner: Ho, Tuan V.  
 )  
 Ted J. Cooper ) Art Unit: 2622  
 )  
 Application No.: 09/696,436 ) Confirmation No.: 3904  
 )  
 Filed: October 24, 2000 )  
 )  
 For: Method And Apparatus To Provide )  
 Edge Enhancements As Part Of A )  
 Demosaicing Process )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(Pursuant to 37 C.F.R. § 1.26(a))

Applicant's deposit account has been charged for two Request for Continued Examination (RCE) under C.F.R. §1.114 in the amount of \$810.00 each. The details of this incorrect charge are outlined below.

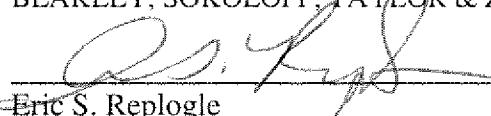
A Request for Continued Examination (RCE) under C.F.R. §1.114 was filed on July 7, 2008 with authorization to charge Applicant's Deposit Account No. 02-2666 for the required fee of \$810.00 for the above-referenced case. An Advisory Action was then received on July 17, 2008. Applicants responded with a Request For Continued Examination (RCE) Transmittal via facsimile on July 31, 2008. Applicant was incorrectly charged \$810.00 for filing Request for Continued Examination (RCE).

Because Applicants had previously paid the one time Request for Continued Examination (RCE) under C.F.R. §1.114 fee of \$810.00 on July 7, 2008, Applicant respectfully requests a refund in the amount of \$810.00 to be credited to Deposit Account No. 02-2666 for the duplicate payment of the Request for Continued Examination (RCE) charges.

Accompanying this request are copies of (1) Copy of Amendment Transmittal dated July 7, 2008 (2) Copy of Fee Transmittal For FY 2008 dated July 7, 2008 (3) Copy Of Request For Continued Examination (RCE) Transmittal dated July 31, 2008 (4) Copy of Facsimile Transmittal Sheet (Transmittal TO PTO) dated July 31, 2008 (5) Copy of Auto-Reply Facsimile Transmission dated July 31, 2008.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: October 3, 2008

  
Eric S. Replogle  
Reg. No. 52,161

1279 Oakmead Parkway  
Sunnyvale, CA 94085-040  
(408) 720-8300

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office via electronic filing through the United States Patent and Trademark Electronic Filing System on:

October 3, 2008

Date of Deposit

Carla Anysia Nascimento

Name of Person Mailing Correspondence



Signature

October 3, 2008

Date

**AMENDMENT TRANSMITTAL****PATENT**

Application No.: 09/696,436  
 Filing Date: October 24, 2000  
 First Named Inventor Ted J. Cooper  
 Examiner's Name: Ho, Tuan V  
 Art Unit: 2622  
 Attorney Docket No.: 80398.P350

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

Preliminary Amendment

Amendment/Response with respect to Final Office Action dated April 4, 2008

Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

Notice of Appeal

RCE (Request for Continued Examination)

Supplemental Declaration

Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

Information Disclosure Statement (IDS)

Copies of IDS citations

Petition for Extension of Time

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

Cross-Reference to Related Application(s)

Certified Copy of Priority Document

Other: \_\_\_\_\_

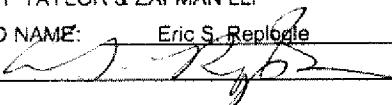
Other: \_\_\_\_\_

Check(s) \$960.00 (fee for RCE – plus additional Claims Fee)

Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

TYPED OR PRINTED NAME: Eric S. RoganSIGNATURE: REG. NO.: 52,161DATE: July 7, 2008ADDRESS: 1279 Oakmead ParkwaySunnyvale, California 94085-4040TELEPHONE NO.: (408) 720-8300**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
 on July 7, 2008

Date of Deposit

Leslie Rogan

Name of Person Mailing Correspondence

July 7, 2008

Date

Signature

Express Mail Label No. (if applicable): \_\_\_\_\_

(10/14/03)

**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

**FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 1260.00

Complete if Known:

Application No. 09/696,436  
 Filing Date October 24, 2000  
 First Named Inventor Ted J. Cooper  
 Examiner Name Ho, Tuan V  
 Art Unit 2622  
 Attorney Docket No. 80398.P350

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)Check        Credit Card        Money Order        None        Other (please identify)        Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

 The Director is Authorized to do the following with respect to the above-identified Deposit Account: Charge fee(s) indicated below. Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application. Charge fee(s) indicated below except for the filing fee Credit any overpayments. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
1011	310	2011	155
1111	510	2111	255
1311	210	2311	105
		Utility application filing fee	{ 1,030/515 }
		Utility search fee	
		Utility examination fee	
1012	210	2012	105
1112	100	2112	50
1312	130	2312	65
		Design application filing fee	{ 440/220 }
		Design search fee	
		Design examination fee	
1013	210	2013	105
1113	310	2113	155
1313	160	2313	80
		Plant filing fee	{ 680/340 }
		Plant search fee	
		Plant examination fee	
1004	810	2004	405
1114	510	2114	255
1314	620	2314	310
		Reissue filing fee	{ 1,940/970 }
		Reissue search fee	
		Reissue examination fee	
1005	210	2005	105
		Provisional application filing fee	
SUBTOTAL (1)			<u>\$ 0.00</u>

**2. EXCESS CLAIM FEES****Fee Description****Large Entity      Small Entity****Fee      Fee****Code      (\$)****Fee      Fee****Code      (\$)****Fee Description**

1202      50

2202      25

Each claim over 20

1201      210

2201      105

Each independent claim over 3

1203      370

2203      185

Multiple dependent claims, if not paid

1204      210

2204      105

Reissue: each claim over 20 and more than in the original patent

1205      50

2205      25

Reissue: each independent claim more than in the original patent

**Extra Claims****Fee****Fees Paid (\$)****Total Claims****29****- 20 or HP =****9****X****\$ 50.00****=****450.00**

HP = highest number of total claims paid for, if greater than 20

**Independent Claims****4****- 4 or HP =****0****X****\$210.00****=**

HP = highest number of independent claims paid for, if greater than 3

**Multiple Dependent Claims****\_\_\_\_\_****=****SUBTOTAL (2) \$ 450.00****3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee from below</b>	<b>Fees paid (\$)</b>
_____	— 100 = _____ / 50 = _____ (round up to whole number)	_____	<b>X</b> <b>\$260.00</b>	_____

**Large Entity      Small Entity****Fee      Fee****Code      (\$)****Fee      Fee****Code      (\$)****Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):**

1081      260      2081      130      Utility

1082      260      2082      130      Design

1083      260      2083      130      Plant

1084      260      2084      130      Reissue

**SUBTOTAL (3) \$ 0.00**

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>		<u>Fees Paid (\$)</u>
<b>Non-English Specification, \$130 fee (no small entity discount)</b>			
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	120	2251	60
1252	460	2252	230
1253	1,050	2253	525
1254	1,640	2254	820
1255	2,230	2255	1,115
1401	510	2401	255
1402	510	2402	255
1403	1,030	2403	515
1451	1,510	1451	1,510
1452	510	2452	255
1453	1,540	2453	770
1501	1,440	2501	720
1502	820	2502	410
1503	1,130	2503	565
1462	400	1462	400
1463	200	1463	200
1464	130	1464	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	810	2809	405
1814	130	2814	65
1810	810	2810	405
1801	810	2801	405
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,410	1454	1,410
Other fee (specify) _____			
Other fee (specify) _____			
<b>SUBTOTAL (4)</b>			<b>\$ 810.00</b>

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Eric S. Reptogle

Signature:  Date: July 7, 2008

Reg. Number: 52,161 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Application No. 09/696,436  
Filing Date October 24, 2000  
First Named Inventor Ted J. Cooper  
Art Unit 2622  
Examiner Name Ho, Tuan V.

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See instruction sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** – Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a.  Previously submitted If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.)
    - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment/Reply
    - ii.  Affidavit(s)/Declaration(s)
    - iii.  Information Disclosure Statement (IDS)
    - iv.  Other \_\_\_\_\_
2. **Miscellaneous**
  - a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
  - b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.
  - a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
    - i.  RCE fee required under 37 C.F.R. § 1.17(e)
    - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii.  Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
    - iv.  Other \_\_\_\_\_
  - b.  Check in the amount of \$ \_\_\_\_\_ enclosed
  - c.  Payment by credit card (Form PTO-2038 enclosed)  
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Eric S. Replogle Registration No. (Attorney/Agent) 52,161  
Signature /Eric S. Replogle, #52, 161/ Date July 31, 2008

### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

Name (Print/Type) Carla Anysia Nascimento  
Signature CAN Date July 31, 2008

**BLAKELY** 1279 OAKMEAD PARKWAY  
**SOKOLOFF** SUNNYVALE, CALIFORNIA 94086  
**TAYLOR &**  
**ZAFMAN** (408) 720-8598 (Telephone)  
A LIMITED LIABILITY  
PARTNERSHIP INCLUDING  
LAW CORPORATIONS  
(408) 720-9397 (Facsimile)

**EXPEDITED PROCEDURE REQUESTED**

**FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)**

Deliver to: Examiner Tuan V. Ho  
Firm Name: U.S. PATENT AND TRADEMARK OFFICE  
Fax Number: 571-273-8300 Telephone No.:  
From: Eric S. Replogle  
Date: July 31, 2008 Time: 12:45 PM (PDT)  
Operator: Carla A. Nascimento Matter: 080398.P350  
Number of pages including cover sheet: 2  
In Re Patent Application of: Ted J. Cooper  
Application No.: 09/696,436  
Filed: 10/24/2000  
For: Method And Apparatus To Provide Edge Enhancement As Part Of Demosaicing Process

Enclosed are the following documents:

**1. REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

**Contact Information For:**

Eric S. Replogle-408-720-8300x7514

**CERTIFICATE OF TRANSMISSION**

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Date of Transmission July 31, 2008

Carla Anysia Nascimento

(Typed or printed name of person transmitting paper)



(Signature of person transmitting paper)

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O:Auto-reply fax to 4087 3383 COMPANY:

## Auto-Reply Facsimile Transmission



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Fax Information  
Date Received: 7/31/2008 3:45:17 PM [Eastern Daylight Time]  
Total Pages: 2 (including cover page)

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Received  
Cover  
Page  
=====>

07/31/2008 12:41 FAX 4087208383	BLAKELY SOKOLOFF TAYLOR	1/001
<p>BLAKELY 1279 OAKMEAD PARKWAY SOKOLOFF SUNNYVALE, CALIFORNIA 94086 TAYLOR &amp; (408) 720-8598 (Telephone) ZAFMAN (408) 720-6387 (Facsimile)</p> <p>A LIMITED LIABILITY PARTNERSHIP INCLUDING LAW CORPORATIONS</p> <p><b><u>EXPEDITED PROCEDURE REQUESTED</u></b></p> <p><b><u>FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)</u></b></p> <p>Deliver to: Examiner Tuan V. Ho</p> <p>Firm Name: U.S. PATENT AND TRADEMARK OFFICE</p> <p>Fax Number: 571-273-8300 Telephone No.:</p> <p>From: Eric S. Reagle</p> <p>Date: July 31, 2008 Time: 12:45 PM (PDT)</p> <p>Operator: Carla A. Nascimento Matter: 080398.P350</p> <p>Number of pages including cover sheet: 2</p> <p>In Re Patent Application of: Ted J. Cooper</p> <p>Application No.: 09/696,436</p> <p>Filed: 10/24/2000</p> <p>For: Method And Apparatus To Provide Edge Enhancement As Part Of Demosaicing Process</p> <p>Enclosed are the following documents:</p> <p>1. REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p>Contact information for: Eric S. Reagle--408-720-8300x7614</p> <p><b><u>CERTIFICATE OF TRANSMISSION</u></b> I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on: Date of Transmission: July 31, 2008 Carla A. Nascimento (Typed or printed name of person transmitting paper)  (Signature of person transmitting paper)</p> <p><b><u>CONFIDENTIALITY NOTE</u></b> The document accompanying this facsimile transmission contains information from the law firm of Blakely, Sokoloff, Taylor &amp; Zafman LLP that is confidential and privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this facsimile is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.</p> <p>IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.</p>		